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DOCKET NO.: UPAP-0345



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

David B. Weiner et al.

Serial No.: 09/359,975

Group Art Unit: 1614

Filing Date: July 23, 1999

Examiner:

For: COMPOSITIONS AND METHODS FOR DELIVERY OF GENETIC MATERIAL

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OCT 28 1999  
TECH CENTER 1600/2900

DATE OF DEPOSIT: Sept 28 1999

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO OFFICE OF INITIAL PATENT EXAMINATION, CUSTOMER SERVICE CENTER, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Mark DeLuca  
TYPED NAME: Mark DeLuca  
REGISTRATION NO.: 33,229

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington DC 20231  
Attention:

### REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a Corrected Filing Receipt is respectfully requested.
2. There is an error with respect to the following data which is:

☒ incorrectly entered; and/or

☐ omitted.

<i>Error in</i>	<i>Correct data</i>
1. Applicant's name	1.
2. Applicant's address	2.
3. Title	3.
4. Filing Date - Incorrect Filing Date on Receipt	4. The Filing Date on the receipt is incorrect. The correct filing date is <b>JULY 23, 1999</b> as indicated on the attached copies of the Patent Application Transmittal Letter forwarded with the application; Express Mail Mailing Label; and Return Postcard with Serial No. and PTO stamp indicating July 23, 1999 as the filing date. Please correct this date accordingly.
5. Serial Number	5.
6. Foreign/PCT Application Re:	6.
7. Other:	7.

3. (complete the following applicable item A or B)

A. ☒ The correction(s) is/are not due to any error by applicant and no fee is due.

**OR**

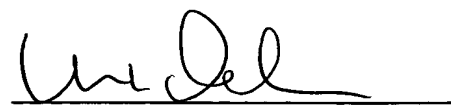
B. ☐ At least one of the above corrections is due to applicant's error and the fee therefore under 37 CFR 1.19(h) of \$25.00 is paid as follows:

☐ A check in the amount of \$25.00 is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$25.00.

Date: *Sept 28, 1999*

Woodcock Washburn Kurtz Mackiewicz & Norris LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439



Mark DeLuca  
Registration No. 33,229

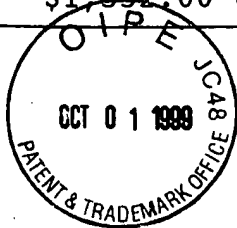
FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/359,975	08/23/99	1614	\$1,552.00	UPAP-0345	10	64	3

WOODCOCK WASHBURN KURTZ  
MACKIEWICZ & NORRIS LLP  
ONE LIBERTY PLACE 46TH FLOOR  
PHILADELPHIA PA 19103



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Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) DAVID B. WEINER, MERION, PA; WILLIAM V. WILLIAMS,  
HAVERTOWN, PA; BIN WANG, HAVERTOWN, PA; LESLIE R. CONEY,  
ROSEMONT, PA; MICHAEL J. MERVA, PHILADELPHIA, PA;  
VINCENT R. ZURAWSKI JR., WESTTOWN, PA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF 08/979,385 11/26/97  
WHICH IS A CON OF 08/495,684 08/28/95 ABN

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 09/09/99  
TITLE  
COMPOSITIONS AND METHODS FOR DELIVERY OF GENETIC MATERIAL

PRELIMINARY CLASS: 514

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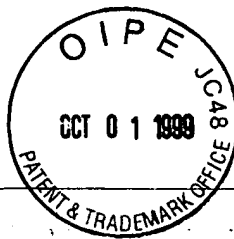
TECH CENTER 1600/2900

DATA ENTRY BY: DADE, JOAN

TEAM: 03 DATE: 09/13/99

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(See reverse for new important information)



EL219292337US



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FROM: (PLEASE PRINT) Mark DeLuca, UPAP-0345 WOODCOCK WASHBURN KURTZ LLP 1 LIBERTY PL FL 46 PHILADELPHIA PA 19103-2301	TO: (PLEASE PRINT) BOX PATENT APPLICATION Assistant Commissioner for Patents Washington, DC 20231

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RECEIVED BY THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

**Paper:** Patent Application Transmittal Letter in duplicate; published copy of prior application S.N. 08/495,684 filed 8/29/95 including ten (10) sheets of formal drawings - Figures 1A, 1B, 2, 3A, 3B, 3C, 3D, 3E, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 5, 6, 7, 8A, 8B, 8C, 8D, 9 and copies of two executed Declarations; Preliminary Amendment with attached Petition and Fee Deleting Correctly Named Original Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed (37 CFR 1.48(b)); check for \$832.00 for additional claims and filing fee; check for \$850.00 for additional claims and petition fee; all via Express Mail No. EL219292337US

Applicant(s): David B. Weiner et al.

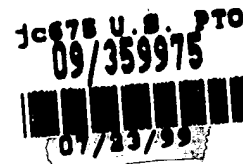
Title: COMPOSITIONS AND METHODS FOR DELIVERY OF GENETIC MATERIAL

Serial No.:

Filed: HERewith

Docket No.: UPAP-0345

Date Sent: July 23, 1999 MD:chill





DOCKET NO. : UPAP-0345

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:** David B. Weiner,  
Williams, and Bin Wang

**Serial No.:**

**Group Art Unit:**

**Filing Date:** Herewith

**Examiner:**

**For: COMPOSITIONS AND METHODS FOR DELIVERY OF GENETIC  
MATERIAL**

**EXPRESS MAIL LABEL NO: EL219292337US**

**DATE OF DEPOSIT: July 23, 1999**

Box ☒ Patent Application  
☐ Provisional ☐ Design

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

**PATENT APPLICATION TRANSMITTAL LETTER**

Transmitted herewith for filing, please find

☒ A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

☒ continuation of S.N. 08/979,385, filed November 26, 1997 which is a file wrapper continuation of S.N. 08/495,684, filed September 28, 1995 which is the national phase of PCT/US94/00899. PCT/US94/00899 is a continuation-in-part application of 08/008,342 filed 1/26/93; 08/029,336 filed 3/11/93; 08/125,012 filed 9/21/93; 08/093,235 filed 7/15/93 and 08/124,962 filed 9/21/93.

☐ A Provisional Patent Application under 37 C.F.R. 1.53(c).

☐ A Design Patent Application (submitted in duplicate).

Including the following:

☐ Provisional Application Cover Sheet.

- ☐ New or Revised Specification, including pages \_\_\_ to \_\_\_ containing:
- ☐ Specification
  - ☐ Claims
  - ☐ Abstract
  - ☐ Substitute Specification, including Claims and Abstract.
- ☐ The present application is a continuation application of Application No. \_\_\_\_\_ filed \_\_\_\_\_. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter.
- ☐ The present application is a continuation application of Application No. \_\_\_\_\_ filed \_\_\_\_\_, which in turn is a continuation-in-part of Application No. \_\_\_\_\_ filed \_\_\_\_\_. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application.
- ☒ A published copy of earlier application Serial No. 08/495,684 Filed August 28, 1995, including Specification, Claims and Abstract, to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference.
- ☒ Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section) : "This Application is a continuation of S.N. 08/979,385, filed November 26, 1997, allowed, which is a file wrapper continuation of S.N. 08/495,684, filed September 28, 1995, abandoned, which is the national phase of PCT/US94/00899. PCT/US94/00899 is a continuation-in-part application of 08/008,342 filed January 26, 1993, abandoned; 08/029,336 filed March 11, 1993, abandoned; 08/125,012 filed September 21, 1993, which issued as U.S. Patent Number 5,593,972; 08/093,235 filed July 15, 1993, abandoned and 08/124,962 filed September 21, 1993, abandoned.
- ☒ Ten Sheets of ☒ Formal ☐ Informal Drawings.
- ☐ Petition to Accept Photographic Drawings.
- ☐ Petition Fee

- ☐ An ☐ Executed ☐ Unexecuted Declaration or Oath and Power of Attorney.
- ☐ An Associate Power of Attorney.
- ☐ An ☐ Executed ☐ Copy of Executed Assignment of the Invention to \_\_\_\_\_
- ☐ A Recordation Form Cover Sheet.
- ☐ Recordation Fee - \$40.00.
- ☒ The prior application is assigned of record to The Trustees of the University of Pennsylvania.
- ☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. \_\_\_\_\_ filed \_\_\_\_\_ in \_\_\_\_\_ (country).
- ☐ A Certified Copy of each of the above applications for which priority is claimed:
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
- ☐ An ☐ Executed or ☐ Copy of Executed Earlier Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, said status is still proper and desired in present case.
- ☐ Diskette Containing DNA/Amino Acid Sequence Information.
- ☐ Statement to Support Submission of DNA/Amino Acid Sequence Information.
- ☒ The computer readable form in this application is identical with that filed in Application Serial Number 08/979,385, filed November 26, 1997. In accordance with 37 CFR 1.821(e), please use the ☐ first-filed, ☒ last-filed or ☐ only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing was included in application Serial Number 08/979,385, filed November 26, 1997.



- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ A copy of Petition for Extension of Time as filed in the prior case.
- ☐ Appended Material as follows: \_\_\_\_\_
- ☒ Return Receipt Postcard (should be specifically itemized).
- ☐ Other as follows: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**FEE CALCULATION:**

- ☒ Cancel in this application original claims 25-57 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

				SMALL ENTITY		NOT SMALL ENTITY	
				RATE	FEE	RATE	FEE
PROVISIONAL APPLICATION				\$75.00	\$	\$150.00	\$
DESIGN APPLICATION				\$155.00	\$	\$310.00	\$
UTILITY APPLICATIONS BASE FEE				\$380.00	\$	\$760.00	\$760.00
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS							
	No. Filed	No. Extra					
TOTAL CLAIMS	24- 20 =	4		\$9 each	\$	\$18 each	\$72.00
INDEP. CLAIMS	2- 3 =	0		\$39 each	\$	\$78 each	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				\$130	\$	\$260	\$0.00
ADDITIONAL FILING FEE					\$		\$
TOTAL FILING FEE DUE					\$		\$832.00

- ☒ A Check is enclosed in the amount of \$832.00.

- ☒ A Preliminary Amendment with attached Petition and Fee Deleting Correctly Named Original Person(s) Who Are Not Inventor(s) of Invention Now Being Claimed (37 CFR 1.48(b)) is attached hereto. The Petition Fee is \$130.00. Upon entry of the Preliminary Amendment, claims 1-24 will be canceled and claims 58-121 will be added. Therefore, a check totaling \$850.00 is attached hereto as payment for forty (40) additional claims (\$720.00) and the petition fee (\$130.00).
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
- ☐ The issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date:

July 23 1999



Mark DeLuca

Registration No. 33,229

Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439